

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

SONIA R. HAMMOCK,	§	
	§	
Plaintiff,	§	
	§	CIVIL ACTION NO.
	§	
v.	§	07-CV-00896-WHA-TFM
	§	
NELL E. LAMB and TODD SWING,	§	
	§	
Defendants.	§	

**SUPPLEMENTAL EVIDENTIARY SUBMISSION**  
**IN SUPPORT OF PLAINTIFF'S MOTION TO REMAND**

COMES NOW the Plaintiff, Sonia R. Hammock, and offers the following supplemental evidentiary submission in support of her previously filed motion to remand:

EXHIBIT 5                      Deposition of Nell E. Lamb

/s/ Tedford Taylor

TEDFORD TAYLOR

Attorney for Plaintiff

OF COUNSEL:

TAYLOR & TAYLOR  
2130 Highland Avenue  
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(205) 558-2800 (phone)  
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**CERTIFICATE OF SERVICE**

I hereby certify that I have electronically filed this Notice of Appearance so that service will be sent by the ECMF System via electronic mail to counsel of record on this the 15<sup>th</sup> day of February, 2008:

Larry R. Bradford, Esq.  
[lbradford@bradfordsears.com](mailto:lbradford@bradfordsears.com)

/s/ Tedford Taylor  
\_\_\_\_\_  
TEDFORD TAYLOR

**FREEDOM COURT REPORTING**

Page 1	Page 3
<p>1 IN THE UNITED STATES DISTRICT COURT  2 FOR THE MIDDLE DISTRICT OF ALABAMA  3 NORTHERN DIVISION  4  5 CIVIL ACTION NO: 07-CV-00896-WHA-TFM  6  7  8 SONIA R. HAMMOCK,  9 Plaintiff,  10 vs.  11 NELL E. LAMB and TODD SWING, et al.,  12 Defendants.  13  14  15 DEPOSITION TESTIMONY OF  16 NELL E. LAMB  17  18  19 JANUARY 22, 2008  20 12:30 P.M.  21 COURT REPORTER: JODI D. DUBOSE, CSR  22  23</p>	<p>1 for any objections to be made by  2 counsel as to any questions except as  3 to form or leading questions, and that  4 counsel for the parties may make  5 objections and assign grounds at the  6 time of trial, or at the time said  7 deposition is offered in evidence, or  8 prior thereto.  9  10  11  12  13  14  15  16  17  18  19  20  21  22  23</p>
Page 2	Page 4
<p>1 STIPULATIONS  2 It is hereby stipulated and  3 agreed, by and between the parties  4 through their counsel, that the  5 deposition of NELL E. LAMB may be taken  6 before Jodi D. DuBose, Certified  7 Shorthand Reporter and Notary Public  8 for the State of Alabama At Large, at  9 the offices of Bradford &amp; Sears, PC,  10 2020 Canyon Road, Suite 100,  11 Birmingham, Alabama 35216 on  12 January 22, 2008, commencing at  13 12:30 p.m.  14 It is further stipulated and  15 agreed that the signature to and the  16 reading of the deposition by the  17 witness are waived, the deposition to  18 have the same force and effect as if  19 full compliance had been had with all  20 laws and rules of Court relating to the  21 taking of depositions.  22 It is further stipulated and  23 agreed that it shall not be necessary</p>	<p>1 APPEARANCES  2  3  4 FOR THE PLAINTIFF:  5 TEDFORD TAYLOR, Esq.  6 TAYLOR &amp; TAYLOR  7 2130 Highland Avenue  8 Birmingham, Alabama 35205  9  10  11 FOR THE DEFENDANTS:  12 JEREME LOGAN, Esq.  13 BRADFORD &amp; SEARS, PC  14 2020 Canyon Road, Suite 100  15 Birmingham, Alabama 35216  16  17  18  19  20  21  22  23</p>

1 (Pages 1 to 4)

**367 VALLEY AVENUE**  
**(205) 397-2397 BIRMINGHAM, ALABAMA 1-877-373-3660**

**FREEDOM COURT REPORTING**

Page 5	Page 7
<p>1 INDEX</p> <p>2</p> <p>3</p> <p>4 EXAMINATION BY: PAGE</p> <p>5 MR. TAYLOR 7</p> <p>6 CERTIFICATE 80</p> <p>7</p> <p>8</p> <p>9 EXHIBITS</p> <p>10</p> <p>11</p> <p>12 PLAINTIFF'S PAGE</p> <p>13 No. 1 - Driver's Licenses 11</p> <p>14 No. 2 - 2006 W-2 21</p> <p>15 No. 3 - Production Requests 34</p> <p>16 No. 4 - Deposition Notice 34</p> <p>17 No. 5 - Dental Invoice 61</p> <p>18</p> <p>19 --oOo--</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p>	<p>1 MR. LOGAN: That's fine.</p> <p>2 MR. TAYLOR: Yes.</p> <p>3</p> <p>4 EXAMINATION BY MR. TAYLOR:</p> <p>5 Q. Ms. Lamb, would you state your</p> <p>6 full name for the record, please?</p> <p>7 A. Nell Elaine Lamb.</p> <p>8 Q. What do you go by, Ms. Lamb?</p> <p>9 A. I go by Elaine.</p> <p>10 Q. Do you have any nicknames or</p> <p>11 anything else that you may go by?</p> <p>12 A. No.</p> <p>13 Q. And what is your age,</p> <p>14 Ms. Lamb?</p> <p>15 A. Forty-seven.</p> <p>16 Q. And your date of birth?</p> <p>17 A. January 17th, 1961.</p> <p>18 Q. Is your Social Security number</p> <p>19 422-84-1286?</p> <p>20 A. Correct.</p> <p>21 Q. Are you married?</p> <p>22 A. No.</p> <p>23 Q. Have you ever been married?</p>
Page 6	Page 8
<p>1 I, Jodi D. DuBose, a Certified</p> <p>2 Shorthand Reporter and Notary Public</p> <p>3 for the State of Alabama At Large,</p> <p>4 acting as Commissioner, certify that on</p> <p>5 this date, pursuant to the Federal</p> <p>6 Rules of Civil Procedure, and the</p> <p>7 foregoing stipulations of counsel,</p> <p>8 there came before me at the offices of</p> <p>9 Bradford &amp; Sears, PC, 2020 Canyon Road,</p> <p>10 Suite 100, Birmingham, Alabama 35216,</p> <p>11 on January 22, 2008, commencing at or</p> <p>12 about 12:30 p.m., NELL E. LAMB, witness</p> <p>13 in the above cause, for oral</p> <p>14 examination, whereupon, the following</p> <p>15 proceedings were had:</p> <p>16</p> <p>17 NELL E. LAMB,</p> <p>18 having been first duly sworn</p> <p>19 (affirmed), was examined and testified</p> <p>20 as follows:</p> <p>21</p> <p>22 COURT REPORTER: Usual</p> <p>23 stipulations?</p>	<p>1 A. No.</p> <p>2 Q. Any children?</p> <p>3 A. No.</p> <p>4 Q. Where did you graduate from</p> <p>5 high school?</p> <p>6 A. The Williams School in</p> <p>7 Montgomery, Alabama.</p> <p>8 Q. And did you have the</p> <p>9 opportunity to go on to college,</p> <p>10 Ms. Lamb?</p> <p>11 A. Yes, I did.</p> <p>12 Q. Where did you attend college?</p> <p>13 A. Troy State University in</p> <p>14 Montgomery, Alabama, School of Nursing.</p> <p>15 Q. Are you from Montgomery</p> <p>16 originally?</p> <p>17 A. I was born on Maxwell Air</p> <p>18 Force Base. Military child.</p> <p>19 Q. And your major was nursing?</p> <p>20 You were in the School of Nursing; is</p> <p>21 that correct?</p> <p>22 A. Correct.</p> <p>23 Q. And what year did you</p>

2 (Pages 5 to 8)

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## FREEDOM COURT REPORTING

<p style="text-align: right;">Page 9</p> <p>1 graduate?</p> <p>2 A. 1981.</p> <p>3 Q. And have you been in the</p> <p>4 practice of nursing since that time?</p> <p>5 A. Yes, I have.</p> <p>6 Q. You've brought some documents</p> <p>7 here today, which I have had an</p> <p>8 opportunity to look at before the</p> <p>9 deposition. And one of the -- some of</p> <p>10 the documents were licenses. What</p> <p>11 current licenses do you have?</p> <p>12 A. What type of license? Nursing</p> <p>13 or --</p> <p>14 Q. We'll start with nursing.</p> <p>15 A. I have a California nurse's</p> <p>16 license, Alabama, Virginia, and</p> <p>17 Michigan.</p> <p>18 Q. When did you apply for your</p> <p>19 Michigan nursing license?</p> <p>20 A. I don't know the exact date.</p> <p>21 July. The month of July.</p> <p>22 Q. I've made copies of some of</p> <p>23 your documents and want to mark them.</p>	<p style="text-align: right;">Page 11</p> <p>1 Exhibit 1 to the deposition.</p> <p>2</p> <p>3 (Whereupon, Plaintiff's Exhibit</p> <p>4 Number 1 was marked for</p> <p>5 identification and is attached to</p> <p>6 the original transcript.)</p> <p>7</p> <p>8 Q. I'm also going to show you a</p> <p>9 copy of your current Virginia license</p> <p>10 that you have brought to us today.</p> <p>11 Could you tell me when that license</p> <p>12 expires?</p> <p>13 A. January the 31st, 2009.</p> <p>14 Q. And what we can do is add</p> <p>15 these licenses and attach this to</p> <p>16 Exhibit 1, so it doesn't make it too</p> <p>17 complicated.</p> <p>18 I'm also going to show you</p> <p>19 your State of Michigan license, and ask</p> <p>20 you when that license is set to expire?</p> <p>21 A. March 31st, 2008.</p> <p>22 Q. One more, Ms. Lamb, I want to</p> <p>23 show you your California license, going</p>
<p style="text-align: right;">Page 10</p> <p>1 I want to show you first a copy of what</p> <p>2 is your driver's license and then two</p> <p>3 of your nursing board licenses. Your</p> <p>4 current driver's license is -- do you</p> <p>5 currently have an Alabama driver's</p> <p>6 license?</p> <p>7 A. Yes.</p> <p>8 Q. Are you licensed to drive in</p> <p>9 Michigan?</p> <p>10 A. Do I have a Michigan driver's</p> <p>11 license?</p> <p>12 Q. Yes.</p> <p>13 A. No.</p> <p>14 Q. Looking at the copy of your</p> <p>15 driver's license, tell me when your</p> <p>16 Alabama driver's license expires.</p> <p>17 A. 1/25/2010.</p> <p>18 Q. Okay. In looking at that same</p> <p>19 piece of paper that has your Alabama</p> <p>20 nursing license on it, when does your</p> <p>21 Alabama nursing license expire?</p> <p>22 A. 12/31/2008.</p> <p>23 Q. I'd like to mark this as</p>	<p style="text-align: right;">Page 12</p> <p>1 back to that original page, and ask you</p> <p>2 when that license expires?</p> <p>3 A. February 28th, 2009.</p> <p>4 Q. Ms. Lamb, who is your present</p> <p>5 employer?</p> <p>6 A. Sparrow Hospital.</p> <p>7 Q. Where is Sparrow located?</p> <p>8 A. Lansing, Michigan.</p> <p>9 Q. How long have you been working</p> <p>10 at Sparrow Hospital?</p> <p>11 A. I started last week.</p> <p>12 Q. Prior to working at Sparrow</p> <p>13 Hospital, where were you employed?</p> <p>14 A. Charlottesville, Virginia as a</p> <p>15 travel nurse.</p> <p>16 Q. What was the name of your</p> <p>17 employer?</p> <p>18 A. On Assignment.</p> <p>19 Q. When did you start working</p> <p>20 with On Assignment?</p> <p>21 A. 10/06.</p> <p>22 Q. And when did you continue to</p> <p>23 work at On Assignment until you began</p>

3 (Pages 9 to 12)

## FREEDOM COURT REPORTING

<p style="text-align: right;">Page 13</p> <p>1 at Sparrow Hospital?</p> <p>2 A. I stopped working with On</p> <p>3 Assignment 6/07 and I have not worked</p> <p>4 until I just started.</p> <p>5 Q. Did you apply for any jobs</p> <p>6 during that six-month period that you</p> <p>7 weren't working?</p> <p>8 A. In Michigan at two other</p> <p>9 hospitals.</p> <p>10 Q. Did you apply for any jobs in</p> <p>11 Alabama?</p> <p>12 A. No.</p> <p>13 Q. What two hospitals in Michigan</p> <p>14 did you apply for jobs?</p> <p>15 A. Owasso. And I don't know the</p> <p>16 name of the other.</p> <p>17 Q. Is it Owasso Hospital?</p> <p>18 A. Uh-huh.</p> <p>19 MR. LOGAN: Is that a yes?</p> <p>20 THE WITNESS: Yes, I'm sorry.</p> <p>21 Q. (BY MR. TAYLOR:) If you can</p> <p>22 think of the name of the other</p> <p>23 hospital, if you would, just interrupt</p>	<p style="text-align: right;">Page 15</p> <p>1 MR. LOGAN: Sure.</p> <p>2 A. What do you need again?</p> <p>3 Q. (BY MR. TAYLOR:) The Alabama</p> <p>4 Home Health Care. I think it's known</p> <p>5 as Alacare as well.</p> <p>6 A. I've never heard of Alacare.</p> <p>7 Q. That might be a newer thing.</p> <p>8 A. Alabama Home Health? I'm</p> <p>9 sorry; no. I've done home health, but</p> <p>10 unless they've changed their name. You</p> <p>11 called it Alabama Home Health Care?</p> <p>12 Q. I believe it's been Alabama</p> <p>13 Home Health Care for a long time and it</p> <p>14 recently changed to Alacare.</p> <p>15 A. No Alabama. West Alabama?</p> <p>16 Q. I don't think so. How about</p> <p>17 Caregivers Home Health Agency?</p> <p>18 A. We're talking about within the</p> <p>19 last five years?</p> <p>20 Q. I believe so.</p> <p>21 A. No.</p> <p>22 Q. Well, we'll move on.</p> <p>23 A. If there's a different name.</p>
<p style="text-align: right;">Page 14</p> <p>1 me at any time.</p> <p>2 A. Will do.</p> <p>3 Q. Or if it comes to you later,</p> <p>4 let your attorney know.</p> <p>5 A. Okay.</p> <p>6 Q. Are you a member of any</p> <p>7 professional organizations?</p> <p>8 A. No.</p> <p>9 Q. Nursing organizations outside</p> <p>10 of -- nothing like that?</p> <p>11 A. No.</p> <p>12 Q. Have you ever worked for</p> <p>13 Alabama Home Health Care?</p> <p>14 A. Yes.</p> <p>15 Q. What years did you work for</p> <p>16 them?</p> <p>17 A. I'd have to get the rest of my</p> <p>18 resume. I don't know offhand.</p> <p>19 Q. Okay. Was it within the last</p> <p>20 five years?</p> <p>21 A. I think I got the rest of my</p> <p>22 resume in my --</p> <p>23 THE WITNESS: Can I get that?</p>	<p style="text-align: right;">Page 16</p> <p>1 Q. Ms. Lamb, in my request for</p> <p>2 production, and also in my notice to</p> <p>3 take deposition, I asked you to bring</p> <p>4 some documents and some you brought</p> <p>5 today. I asked you to bring some tax</p> <p>6 documents. And you've brought a</p> <p>7 2006 W-2 that I'll show you now. This</p> <p>8 W-2 was sent to you from the Prison</p> <p>9 Health Service, Incorporated?</p> <p>10 A. Yes.</p> <p>11 Q. They're located in Brentwood,</p> <p>12 Tennessee. For what employment was</p> <p>13 that?</p> <p>14 A. Tutwiler Prison in Wetumpka.</p> <p>15 Q. What dates -- I'll tell you</p> <p>16 what, it might be easier to go through</p> <p>17 your employment history first before we</p> <p>18 get into that.</p> <p>19 A. Okay.</p> <p>20 Q. Give us a little more</p> <p>21 organization.</p> <p>22 Before On Assignment, where</p> <p>23 you were employed from October 2006 to</p>

4 (Pages 13 to 16)

## FREEDOM COURT REPORTING

Page 17

1 June of 2007, where were you employed  
2 prior to that?

3 A. Prison Health Services, which  
4 is Tutwiler Prison, from 9/30/05 to  
5 3/13/06.

6 At the same time, I worked  
7 Adidas Health Care, 3/05 to 7/21/05.

8 Q. And prior to March of '05,  
9 where did you work?

10 A. Travel Nurse Across America,  
11 7/03 to 11/03.

12 Q. Where were they located?

13 A. I'm trying to remember. That  
14 was one travel assignment in  
15 Bakersfield, California.

16 Q. And that's where you were  
17 located is in Bakersfield, California?

18 A. That's where --

19 Q. Travel Nurse Across America,  
20 is that --

21 A. I traveled.

22 Q. Where is that company located?

23 A. I don't know offhand.

Page 18

1 Q. Okay. Now, prior to July of  
2 2003, where were you employed?

3 A. I did -- from 12/02 to 4/02, I  
4 did private duty nursing with my mother  
5 for cancer. I don't know if you can  
6 call that employed.

7 Q. Now, that brings us back to  
8 taxes, W-2s and 1099s.

9 A. Okay.

10 Q. In 2007, you were employed by  
11 On Assignment in Charlottesville, North  
12 Carolina; is that right?

13 A. Correct.

14 Q. Where were you located during  
15 that employment? In Charlottesville?

16 A. In Charlottesville. Do you  
17 want the address?

18 Q. Yes.

19 A. 844 C-A-T-A-L-P-A Court,  
20 Charlottesville, Virginia 22903.

21 Q. Did you work in Alabama during  
22 the year 2007?

23 A. I have not worked in Alabama

Page 19

1 since the prison.

2 Q. Have you received a W-2 and/or  
3 a 1099 from On Assignment for 2007?

4 A. If they've mailed it, I have  
5 not received it.

6 Q. Okay. Have you filed Federal  
7 tax returns or State tax returns?

8 A. Not for 2005, '06, or '07.

9 Q. And in 2005, you were located  
10 in Alabama; is that correct?

11 A. Yes.

12 Q. Did you make more than \$4,600  
13 per year in 2005?

14 A. I honestly don't know. I  
15 think so, but I don't know.

16 MR. LOGAN: Are you guessing?

17 THE WITNESS: I'm guessing.

18 MR. LOGAN: Don't guess.

19 A. I do not know.

20 Q. (BY MR. TAYLOR:) In 2006, did  
21 you make more than \$4,600 from the  
22 Prison Health Services?

23 A. Yes.

Page 20

1 Q. At the same time you were  
2 working for Prison Health Services, you  
3 were also working for Adidas; is that  
4 correct?

5 A. Correct.

6 Q. Do you believe you made more  
7 than \$18,000 in 2006?

8 MR. LOGAN: If you know.

9 A. I don't know.

10 Q. (BY MR. TAYLOR:) Do you have  
11 your W-2 from Adidas?

12 A. No, I don't.

13 Q. Is that something you could  
14 put your hands on?

15 A. No, it isn't.

16 Q. Could you contact Adidas and  
17 get the information? Is that possible?

18 A. I plan on trying to get all of  
19 my W-2 forms, but I'm going to have to  
20 call the IRS and I don't know what time  
21 frame.

22 Q. Is that something you could

23 do? When you get those documents, can

5 (Pages 17 to 20)



**FREEDOM COURT REPORTING**

<p style="text-align: right;">Page 21</p> <p>1 you give those to your attorney as soon 2 as possible? 3 A. I will attempt. 4 Q. I want to get back and mark 5 your W-2, 2006 W-2 as Exhibit 2 of this 6 deposition. 7 A. Okay. 8 Q. And offer it. 9 10 (Whereupon, Plaintiff's Exhibit 11 Number 2 was marked for 12 identification and is attached to 13 the original transcript.) 14 15 Q. Ms. Lamb, this may be as good 16 a time as any to go through a request 17 for production that I filed November 18 the 29th, 2007 and served, and I'll 19 show that to you. 20 This is a document requesting 21 documents for this limited purpose 22 deposition and during this discovery 23 period. Are you familiar with that</p>	<p style="text-align: right;">Page 23</p> <p>1 A. Yes. I don't know if that's 2 the -- 3 Q. (BY MR. TAYLOR:) Okay. Let's 4 go through these one by one, if you 5 don't mind. 6 A. Okay. 7 Q. And let's see what's been 8 produced today, January the 22nd, 2008. 9 Number 1, I asked for driver's 10 license, professional licenses, or any 11 other licenses. Have you brought all 12 of your licenses here today? 13 A. Firearm permit. 14 Q. You do have a firearm permit? 15 A. Yes, I do. Well, I don't have 16 the permit. I had one. 17 Q. Okay. And was that in 18 Alabama? 19 A. That was in Lowndesboro. 20 Q. Do you know when that firearm 21 permit expired? 22 A. No, I don't. 23 Q. Okay. Do you believe it is</p>
<p style="text-align: right;">Page 22</p> <p>1 document? Have you seen this document? 2 A. Yes. 3 Q. If you would, turn to the back 4 page and let me know when the service 5 date on that document is. 6 MR. LOGAN: Of which document? 7 A. And what am I looking for? 8 I'm sorry. 9 Q. (BY MR. TAYLOR:) There is a 10 date of service on the back when it was 11 served upon you or your attorney. 12 A. 29th day of November, 2007. 13 Q. Are you aware that you have 14 30 days to answer a document request 15 like this? 16 MR. LOGAN: Object to form. 17 You can answer if you know. 18 A. Oh, no. 19 Q. (BY MR. TAYLOR:) Well, would 20 you agree with me that December the 21 29th would be when these documents are 22 due? 23 MR. LOGAN: Object to form.</p>	<p style="text-align: right;">Page 24</p> <p>1 current today? 2 A. I don't know. 3 Q. Could you get a copy of your 4 permit and give that to your lawyer 5 when you get a chance? 6 A. Can they mail that to me? Can 7 they give that to me by my not being 8 there in-person? 9 Q. That may be something you need 10 to talk to them about. 11 A. If they can do it without my 12 being there in-person and give it to me 13 over the phone. 14 Q. Some sort of verifications 15 that you have, that will be fine. 16 Going to Number 2, I had asked 17 for all tax returns, Federal, State, 18 1099s, W-2s for '05, '06, and '07. I 19 know you brought the W-2 for 2006. At 20 your earliest convenience, could you 21 get your W-2s for 2005 and '07? 22 A. I will call the companies I 23 worked for.</p>

6 (Pages 21 to 24)



## FREEDOM COURT REPORTING

<p style="text-align: right;">Page 25</p> <p>1 Q. All right.</p> <p>2 MR. LOGAN: Ted, we'll also</p> <p>3 sign whatever authorization that you</p> <p>4 need so you can subpoena the records as</p> <p>5 well. We'll do our best to try to get</p> <p>6 it in so that we can get them in the</p> <p>7 fastest way as possible.</p> <p>8 MR. TAYLOR: Okay.</p> <p>9 Q. (BY MR. TAYLOR:) Have you</p> <p>10 registered to vote in the State of</p> <p>11 Michigan?</p> <p>12 A. No, I haven't.</p> <p>13 Q. Are you currently registered</p> <p>14 to vote in the State of Alabama?</p> <p>15 A. Yes, I am.</p> <p>16 Q. Do you have your voter</p> <p>17 registration card?</p> <p>18 A. No, I don't.</p> <p>19 Q. Have you notified the state --</p> <p>20 strike that.</p> <p>21 When was the last time you</p> <p>22 voted in the State of Alabama?</p> <p>23 A. I don't know. I can make a</p>	<p style="text-align: right;">Page 27</p> <p>1 your lawyer as soon as possible.</p> <p>2 A. Okay.</p> <p>3 Q. On Number 5, I asked you to</p> <p>4 produce any charitable contributions</p> <p>5 you've made between November 23rd,</p> <p>6 2005, the date of the accident, and</p> <p>7 September 24th, 2007. Have you made</p> <p>8 any charitable contributions during</p> <p>9 that time?</p> <p>10 A. No.</p> <p>11 Q. How about --</p> <p>12 A. Not that I have a record of.</p> <p>13 Q. Okay. What charitable giving</p> <p>14 do you not have a record of?</p> <p>15 A. To the police force, to the</p> <p>16 fire department.</p> <p>17 Q. And was that the police force</p> <p>18 and fire department in Alabama?</p> <p>19 A. In Alabama, and in Virginia.</p> <p>20 Yeah, Virginia.</p> <p>21 Q. Okay. That's in Lowndesboro,</p> <p>22 Alabama?</p> <p>23 A. Probably -- no. Just somebody</p>
<p style="text-align: right;">Page 26</p> <p>1 guess, but I don't know.</p> <p>2 Q. Okay. Do you remember voting</p> <p>3 in the 2006 election? Any of the 2006</p> <p>4 election?</p> <p>5 A. It would be a guess.</p> <p>6 Q. Okay. Automobiles -- between</p> <p>7 the dates of November the 23rd and</p> <p>8 September the 24th, I've asked for</p> <p>9 registration for any automobiles you</p> <p>10 may have owned. Do you have that?</p> <p>11 A. I am not sure I owned any. My</p> <p>12 mother owned a Honda Accord and I'm not</p> <p>13 sure if she put my name on the title or</p> <p>14 not.</p> <p>15 Q. Does your mother still have</p> <p>16 that Honda Accord?</p> <p>17 A. Uh-huh. Yes, she does.</p> <p>18 Q. Could you produce the</p> <p>19 registration?</p> <p>20 A. I'll ask her.</p> <p>21 Q. Okay.</p> <p>22 A. I don't know if she can.</p> <p>23 Q. If you would turn that over to</p>	<p style="text-align: right;">Page 28</p> <p>1 that called on the phone.</p> <p>2 Q. Okay.</p> <p>3 A. So I don't know which -- if it</p> <p>4 was Montgomery or Selma --</p> <p>5 Q. Okay.</p> <p>6 A. -- or --</p> <p>7 Q. Do you own any property in the</p> <p>8 State of Alabama?</p> <p>9 A. No.</p> <p>10 Q. Have you ever owned any</p> <p>11 property in the State of Alabama?</p> <p>12 A. Yes.</p> <p>13 Q. When did you own that</p> <p>14 property?</p> <p>15 A. I could not find the bill of</p> <p>16 sale. I can tell you who I sold it to</p> <p>17 and the lawyer who did the deed or the</p> <p>18 bill of sale.</p> <p>19 Q. Okay. Who was the closing</p> <p>20 attorney on that sale?</p> <p>21 A. Ted Bozeman.</p> <p>22 Q. And where was that property</p> <p>23 located?</p>

7 (Pages 25 to 28)

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## FREEDOM COURT REPORTING

Page 29	Page 31
<p>1 A. Lowndesboro, Alabama.</p> <p>2 Q. What dates did you own that</p> <p>3 property? Do you --</p> <p>4 A. It's been in my family for a</p> <p>5 while. My mother put it in my name and</p> <p>6 hers after my father died. And I can't</p> <p>7 remember the exact year my father died.</p> <p>8 Q. Who was it sold to?</p> <p>9 A. Tyson Howard.</p> <p>10 Q. Do you remember what year that</p> <p>11 it was sold?</p> <p>12 A. Either 2006 or 2007.</p> <p>13 Q. What kind of property was it?</p> <p>14 A. It was seven and a half acres</p> <p>15 off of Highway 80.</p> <p>16 Q. Did it have a house on it?</p> <p>17 A. A double-wide trailer.</p> <p>18 Q. Any other property that you've</p> <p>19 owned?</p> <p>20 A. In Alabama?</p> <p>21 Q. In Alabama.</p> <p>22 A. No.</p> <p>23 Q. Have you owned any property in</p>	<p>1 A. I don't know.</p> <p>2 Q. Have you ever owned any</p> <p>3 property in California?</p> <p>4 A. No.</p> <p>5 Q. Michigan?</p> <p>6 A. No.</p> <p>7 Q. We talked a little bit about</p> <p>8 automobiles and you talked about the</p> <p>9 Honda Civic that you may own and you're</p> <p>10 going to follow up on that.</p> <p>11 A. Yes.</p> <p>12 Q. How about any automobiles that</p> <p>13 you've owned, let's say, in the last</p> <p>14 five years?</p> <p>15 A. Explorer.</p> <p>16 Q. Can you remember when?</p> <p>17 A. It was -- it was last titled</p> <p>18 to me in Lowndesboro, so the license</p> <p>19 and selling would be in Lowndesboro.</p> <p>20 Q. Do you have any of that</p> <p>21 paperwork?</p> <p>22 A. No, I do not.</p> <p>23 Q. Did you have the Explorer</p>
Page 30	Page 32
<p>1 Virginia?</p> <p>2 A. Yes.</p> <p>3 Q. What property have you owned</p> <p>4 in Virginia?</p> <p>5 A. That was in Clintwood,</p> <p>6 Virginia. Again, my mother put my name</p> <p>7 on it after my father died.</p> <p>8 Q. What kind of property was</p> <p>9 that?</p> <p>10 A. Ten acres with a home.</p> <p>11 Q. Do you currently own that</p> <p>12 property?</p> <p>13 A. No.</p> <p>14 Q. When did you sell that</p> <p>15 property?</p> <p>16 A. I do not know.</p> <p>17 Q. Prior to '06?</p> <p>18 A. Oh, yes.</p> <p>19 Q. Within the last five years?</p> <p>20 A. Yes.</p> <p>21 Q. Within the last five years?</p> <p>22 A. Within the last five years.</p> <p>23 Q. How about prior to '05?</p>	<p>1 prior to the Civic?</p> <p>2 A. Yes.</p> <p>3 Q. And did you get rid of the</p> <p>4 Explorer before you used your mom's or</p> <p>5 your Civic?</p> <p>6 A. Yes.</p> <p>7 Q. Ms. Lamb, when did you get</p> <p>8 here to Alabama today?</p> <p>9 A. At 9:55.</p> <p>10 Q. Are you staying tonight?</p> <p>11 A. Yes, I am.</p> <p>12 Q. Who are you staying with?</p> <p>13 A. My sister is coming up from</p> <p>14 Hope Hull and we're staying in a hotel.</p> <p>15 And I fly out tomorrow morning back to</p> <p>16 Michigan.</p> <p>17 Q. What's your sister's name?</p> <p>18 A. Barbara Grant.</p> <p>19 Q. How long has she lived in</p> <p>20 Hope Hull?</p> <p>21 A. She moved back from Utah to</p> <p>22 Hope Hull -- I don't know the number of</p> <p>23 years.</p>

8 (Pages 29 to 32)

## FREEDOM COURT REPORTING

<p style="text-align: right;">Page 33</p> <p>1 Q. More than five?</p> <p>2 A. I don't think five. May be --</p> <p>3 I don't know.</p> <p>4 Q. Okay. More than three?</p> <p>5 A. I think.</p> <p>6 Q. Okay.</p> <p>7 A. I can give you that.</p> <p>8 Q. And you're leaving tomorrow,</p> <p>9 you say?</p> <p>10 A. Yes.</p> <p>11 Q. Have you ever given a</p> <p>12 deposition before?</p> <p>13 A. No.</p> <p>14 Q. And how were you notified of</p> <p>15 this deposition?</p> <p>16 MR. LOGAN: Before you answer,</p> <p>17 don't talk about any conversations that</p> <p>18 you've had with me or anybody in my</p> <p>19 office. But you can tell him when you</p> <p>20 were notified about your deposition.</p> <p>21 A. When I received this or when I</p> <p>22 was notified that I was coming here?</p> <p>23 Q. (BY MR. TAYLOR:) Okay.</p>	<p style="text-align: right;">Page 35</p> <p>1 Q. Does that look familiar,</p> <p>2 Ms. Lamb, being the notice for</p> <p>3 deposition, Plaintiff's Exhibit 4?</p> <p>4 MR. LOGAN: Did it change</p> <p>5 other than the date and the time from</p> <p>6 the January the 19th --</p> <p>7 MR. TAYLOR: No. They're</p> <p>8 requests for the same. They're a</p> <p>9 similar document with a different date.</p> <p>10 A. I received this -- I was faxed</p> <p>11 this yesterday or the day before</p> <p>12 yesterday?</p> <p>13 MR. LOGAN: You actually</p> <p>14 received a copy of it in the mail</p> <p>15 before then. But the most recent</p> <p>16 information about your flight included</p> <p>17 a copy of this as well.</p> <p>18 THE WITNESS: Okay.</p> <p>19 Q. (BY MR. TAYLOR:) But you were</p> <p>20 sent a notice of deposition; is that</p> <p>21 correct, Ms. Lamb?</p> <p>22 A. Yes.</p> <p>23 Q. Okay. And your attorneys also</p>
<p style="text-align: right;">Page 34</p> <p>1 A. What are you asking?</p> <p>2 Q. I might can clear it up.</p> <p>3 A. Okay.</p> <p>4 Q. I'm going to mark my requests</p> <p>5 for production as Plaintiff's Exhibit</p> <p>6 Number 3.</p> <p>7</p> <p>8 (Whereupon, Plaintiff's Exhibit</p> <p>9 Number 3 was marked for</p> <p>10 identification and is attached to</p> <p>11 the original transcript.)</p> <p>12</p> <p>13 MR. TAYLOR: And offer that at</p> <p>14 this time.</p> <p>15 Q. (BY MR. TAYLOR:) I'm also</p> <p>16 going to go ahead and mark the notice</p> <p>17 of deposition for today's deposition as</p> <p>18 Plaintiff's Exhibit 4.</p> <p>19</p> <p>20 (Whereupon, Plaintiff's Exhibit</p> <p>21 Number 4 was marked for</p> <p>22 identification and is attached to</p> <p>23 the original transcript.)</p>	<p style="text-align: right;">Page 36</p> <p>1 notified you that -- without telling me</p> <p>2 anything they've said, they notified</p> <p>3 you that this was going on?</p> <p>4 MR. LOGAN: She was aware of</p> <p>5 her deposition before she showed up</p> <p>6 today, if that's fair.</p> <p>7 Q. (BY MR. TAYLOR:) Okay. I</p> <p>8 want to go through and get a history of</p> <p>9 addresses, starting with your current</p> <p>10 address where you claim to be living.</p> <p>11 A. Okay. I live at 225 West</p> <p>12 Street, Post Office Box 92, Laingsburg,</p> <p>13 L-A-I-N-G-S-B-U-R-G, Michigan 48848.</p> <p>14 Q. Is that a physical address?</p> <p>15 A. 225 is a physical address.</p> <p>16 They do not mail there. So the</p> <p>17 P.O. Box is where the mail comes.</p> <p>18 Q. The physical address, 225 West</p> <p>19 Street, is that a house or an</p> <p>20 apartment?</p> <p>21 A. A house.</p> <p>22 Q. What kind of property is it</p> <p>23 located on? Better question, who lives</p>

9 (Pages 33 to 36)

## FREEDOM COURT REPORTING

Page 37

1 there with you?  
 2 A. My mother, my sister, and her  
 3 children. Her husband and children.  
 4 Q. And is this your same sister  
 5 Barbara --  
 6 A. No.  
 7 Q. It's not? What's your  
 8 sister's name?  
 9 A. Edith Law.  
 10 Q. And her husband is Steven Law?  
 11 A. Correct.  
 12 Q. Who owns the property at  
 13 225 West Street?  
 14 A. Edith and Steven.  
 15 Q. Do you pay them rent?  
 16 A. When I have any money in my  
 17 account.  
 18 Q. And how long have you been  
 19 staying at that address?  
 20 A. I went there at the end of  
 21 June. I stayed there until I went up  
 22 to help my mother move her property in  
 23 Alabama to move up there also.

Page 38

1 Q. And when was that?  
 2 A. Late July.  
 3 Q. And how long were you -- you  
 4 were in Alabama in late July?  
 5 A. Back and forth in July. And  
 6 then back to Edith's house and then  
 7 back with mom. Then we went back --  
 8 Q. Okay.  
 9 A. -- for the final time.  
 10 Q. When did you go back for the  
 11 final time?  
 12 A. Let's see. I was scheduled to  
 13 go back on the 21st of September, got  
 14 sick, and we actually rented a car on  
 15 October the 1st and got there on  
 16 October the 3rd.  
 17 Q. So I'm correct in saying that  
 18 you stayed in Alabama from July '07 to  
 19 October of '07?  
 20 MR. LOGAN: Object to form.  
 21 A. We were part of the time in  
 22 Michigan and part of the time in  
 23 Alabama.

Page 39

1 Q. (BY MR. TAYLOR:) How many  
 2 times did you go back to Michigan  
 3 during that period of time?  
 4 A. Once.  
 5 Q. And what were the dates?  
 6 A. I don't know.  
 7 Q. Prior to staying at 225 West  
 8 Street, what was your address?  
 9 A. Where did I stay?  
 10 Q. Uh-huh.  
 11 A. I stayed either with my mother  
 12 at 130 Lost Trail. I stayed with my  
 13 uncle at 120 Lost Trail. I stayed with  
 14 my brother in Montgomery. How long are  
 15 we looking for?  
 16 Q. Well, I guess I need to get  
 17 back and get more specific dates.  
 18 When you were with your mother  
 19 at 130 Lost Trail --  
 20 A. Uh-huh.  
 21 Q. -- how long were you there and  
 22 what dates were you there?  
 23 A. In between travel assignments,

Page 40

1 and I can't tell you which times I  
 2 stayed. She traveled with me on some  
 3 of those assignments. I can't tell you  
 4 which times I stayed with her or stayed  
 5 with my uncle or which times I stayed  
 6 with my brother, which times I stayed  
 7 with Edith in Michigan.  
 8 Q. What's your brother's address  
 9 in Montgomery?  
 10 A. I don't know.  
 11 Q. Dalford Street?  
 12 A. Dalford Lane or Dalford  
 13 Street.  
 14 Q. What's his name?  
 15 A. Michael Lamb.  
 16 Q. Is he married?  
 17 A. Yes, he is.  
 18 Q. What's his wife's name?  
 19 A. Valerie Lamb.  
 20 Q. Do they have any children?  
 21 A. None living in their home.  
 22 Q. When you were working at  
 23 Tutwiler, where were you staying during

10 (Pages 37 to 40)

## FREEDOM COURT REPORTING

Page 41

1 that period of time?  
 2 A. I'm trying to remember if the  
 3 house was sold in Lowndesboro. With my  
 4 uncle, I think. I believe.  
 5 Q. With your uncle at 120 Lost  
 6 Trail?  
 7 A. Yes, or -- I'm sorry. I don't  
 8 know. I don't know if we'd sold the  
 9 property yet in Lowndesboro. I could  
 10 be mistaken.  
 11 Q. Well, let me try to get a  
 12 frame of reference on time with  
 13 these -- when you were staying at these  
 14 places in Alabama.  
 15 A. Okay.  
 16 Q. From September the 30th, 2005  
 17 to July the 31st, 2000 until March the  
 18 13th, 2006, you were working at Prison  
 19 Health Services?  
 20 A. Yes.  
 21 Q. During that six-month period  
 22 of time --  
 23 A. -- I lived in Lowndesboro.

Page 42

1 Q. Is that with your uncle?  
 2 A. I'm not sure which. I don't  
 3 know if we'd sold the property yet.  
 4 Q. Okay. If you had not with  
 5 him, would you have been with your mom  
 6 at 130 Lost Trail?  
 7 A. If we'd sold the property, I'd  
 8 been with my mom at 130; if we hadn't  
 9 sold the property, I'd been at  
 10 112 Sullivan Hill.  
 11 Q. Now, 112 Sullivan Hill, that's  
 12 the property; is that right?  
 13 A. That was sold, yes.  
 14 Q. At the time of the accident,  
 15 you didn't have an Alabama driver's  
 16 license; is that correct?  
 17 A. Correct.  
 18 Q. The address that you gave to  
 19 the police was 112 Sullivan Hill; is  
 20 that correct?  
 21 A. I'd have to look at the  
 22 accident report.  
 23 Q. I'll show you the accident

Page 43

1 report real quick. I won't mark it.  
 2 A. Yes.  
 3 Q. Okay.  
 4 MR. LOGAN: Ms. Lamb, do you  
 5 recall actually giving the officer your  
 6 address, or did he get that off of your  
 7 license?  
 8 THE WITNESS: I had a Virginia  
 9 license at the time, so I would have  
 10 given that to him.  
 11 MR. LOGAN: Okay.  
 12 Q. (BY MR. TAYLOR:) So that  
 13 seven and a half acres is the  
 14 112 Sullivan Hill?  
 15 A. Yes.  
 16 Q. And that's the land y'all  
 17 sold?  
 18 A. Yes.  
 19 Q. Okay. I want to ask you about  
 20 relatives in Alabama. We've covered  
 21 that a little bit with these  
 22 residences. And I hate to repeat some  
 23 of this, but why don't we start with

Page 44

1 Michael Lamb and go from there. If you  
 2 would, just kind of enumerate what  
 3 relatives you have remaining in Alabama  
 4 at this time.  
 5 A. As far as siblings or extended  
 6 further?  
 7 Q. Let's start with immediate  
 8 family and go out from there.  
 9 A. I have a brother, Michael.  
 10 Q. And he lives?  
 11 A. Dalford Lane in Montgomery.  
 12 And a sister, Barbara Grant, and she's  
 13 in Hope Hull.  
 14 Q. Okay.  
 15 A. That's the only two.  
 16 Q. How about extended family,  
 17 uncles?  
 18 A. I have an uncle, Ned Sullivan.  
 19 And he lives at 120 Lost Trail,  
 20 Lowndesboro. Now, I have cousins, but  
 21 I don't know where they live.  
 22 Q. Okay.  
 23 A. I have nieces and nephews and

11 (Pages 41 to 44)

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# FREEDOM COURT REPORTING

<p style="text-align: right;">Page 45</p> <p>1 I don't know where they live.  2 Q. Okay. Where were you on  3 September the 24th, 2007? That was the  4 date of service.  5 A. I was at 130 Lost Trail.  6 Q. How long had you been there?  7 How long had you been staying there on  8 that date?  9 A. I don't know.  10 Q. More than two weeks?  11 A. Yes.  12 Q. More than a month?  13 A. Yes.  14 Q. More than two months?  15 A. Consecutively?  16 Q. Uh-huh.  17 A. I don't know.  18 Q. When a process server came to  19 your house, who answered the door?  20 A. My mother.  21 Q. Who else was in the house at  22 that time?  23 A. Myself. I was asleep.</p>	<p style="text-align: right;">Page 47</p> <p>1 to Michigan?  2 A. We left on October 1st.  3 Q. How did you return to  4 Michigan?  5 A. Rental car.  6 Q. Did you rent that car in  7 Montgomery?  8 A. Yes. You have the copy --  9 Q. I do have -- I'm sorting  10 through it.  11 A. Okay.  12 Q. Mine looks a little different  13 than the original.  14 A. Okay. That was the day we  15 turned it in in Michigan, on the 3rd.  16 Q. At that time, was your  17 furniture in Alabama?  18 A. Yes.  19 Q. Is your furniture -- does it  20 remain in Alabama to this date?  21 A. No. My brother-in-law and my  22 sister ended up going up to finish  23 packing and bringing the rest down.</p>
<p style="text-align: right;">Page 46</p> <p>1 Q. Just the two of you?  2 A. Yes.  3 Q. Had you been working the day  4 before?  5 A. No.  6 Q. Did your mother make a  7 statement that you had been working the  8 day before and that's why you were  9 sleeping?  10 A. No. I was ill.  11 Q. Did your mother wake you up?  12 A. I don't remember.  13 Q. Were you personally served  14 with the lawsuit on that day in  15 Alabama?  16 A. My mother handed it to me.  17 Q. Okay. Did you meet our  18 process server?  19 A. Yes.  20 Q. And he saw you receive the  21 lawsuit in Alabama?  22 A. Yes.  23 Q. How long after that did you go</p>	<p style="text-align: right;">Page 48</p> <p>1 Q. When was that?  2 A. I don't know.  3 Q. It was after October the 3rd?  4 A. Yes.  5 Q. Was it after November the 1st?  6 A. Yes.  7 Q. After December the 1st?  8 A. No. I think it was in  9 November. I was too ill to help mom,  10 so they took his vacation.  11 Q. What about your personal  12 belongings and clothes and that sort of  13 thing?  14 A. My clothing and all of that  15 went with me.  16 Q. On October the 3rd?  17 A. (Witness nods head.) As well  18 as my TV.  19 Q. Have you submitted a change of  20 address form to the post office?  21 A. Yes.  22 Q. When did you do that?  23 A. Before we left. End of</p>

12 (Pages 45 to 48)

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# FREEDOM COURT REPORTING

<p style="text-align: right;">Page 49</p> <p>1 September.</p> <p>2 Q. Would that be after you were</p> <p>3 served with the lawsuit?</p> <p>4 A. Yes.</p> <p>5 Q. How are you related to Todd</p> <p>6 Sweeney? What is your relationship</p> <p>7 with him?</p> <p>8 A. He is my niece's husband.</p> <p>9 Q. Does he live at 225 West</p> <p>10 Street?</p> <p>11 A. He lives next door.</p> <p>12 Q. He lives next door. Is it a</p> <p>13 different address?</p> <p>14 A. Yes.</p> <p>15 Q. What's his address in</p> <p>16 Michigan?</p> <p>17 A. I don't know the number, the</p> <p>18 house number.</p> <p>19 Q. But he lives next to 225 West?</p> <p>20 A. Correct.</p> <p>21 Q. The property at 225 West</p> <p>22 Street, is it several acres?</p> <p>23 A. I don't know.</p>	<p style="text-align: right;">Page 51</p> <p>1 Q. Two cats. Did your mother's</p> <p>2 cats go with you to Michigan?</p> <p>3 A. Yes.</p> <p>4 Q. On October the 3rd?</p> <p>5 A. Yes. October the 1st.</p> <p>6 Q. Okay. In that period of time</p> <p>7 prior to October and even prior to when</p> <p>8 you were sick in September when you</p> <p>9 went and stayed in Michigan for some</p> <p>10 time, did your cats go with you then?</p> <p>11 A. No. My uncle kept them.</p> <p>12 Q. Okay.</p> <p>13 MR. LOGAN: Ted, before you</p> <p>14 get started again, we've been going</p> <p>15 about an hour. Can we take a quick</p> <p>16 break?</p> <p>17 MR. TAYLOR: Yeah, that's</p> <p>18 fine.</p> <p>19</p> <p>20 (Short recess.)</p> <p>21</p> <p>22 Q. (BY MR. TAYLOR:) Ms. Lamb,</p> <p>23 are you a member of any social or</p>
<p style="text-align: right;">Page 50</p> <p>1 Q. How many structures are on it?</p> <p>2 MR. LOGAN: Object to form.</p> <p>3 A. One.</p> <p>4 Q. (BY MR. TAYLOR:) And you all</p> <p>5 live in that dwelling?</p> <p>6 A. Correct.</p> <p>7 Q. Do you know Carl Bordwine and</p> <p>8 Erma Bordwine?</p> <p>9 A. No.</p> <p>10 Q. Who is Maxine Sullivan?</p> <p>11 A. My mother.</p> <p>12 Q. And what was her -- does she</p> <p>13 currently have an address in Alabama?</p> <p>14 A. No.</p> <p>15 Q. Has she had an address in</p> <p>16 Alabama?</p> <p>17 A. Yes.</p> <p>18 Q. What was that address?</p> <p>19 A. 130 Lost Trail.</p> <p>20 Q. Ms. Lamb, in your</p> <p>21 interrogatories, you answered that you</p> <p>22 had some pets. Do you have a pet?</p> <p>23 A. My mother has two cats.</p>	<p style="text-align: right;">Page 52</p> <p>1 civic clubs?</p> <p>2 A. No.</p> <p>3 Q. Any churches?</p> <p>4 A. Yes.</p> <p>5 Q. Where are you a member of</p> <p>6 church?</p> <p>7 A. Church of Jesus Christ of</p> <p>8 Latter Day Saints.</p> <p>9 Q. Are you affiliated with a</p> <p>10 local branch of that church?</p> <p>11 A. In Owasso.</p> <p>12 Q. How long have you been a</p> <p>13 member of that church?</p> <p>14 A. All my life --</p> <p>15 Q. Of the Owasso?</p> <p>16 A. Well, I don't go as regular as</p> <p>17 I should, but when my records were sent</p> <p>18 there, I don't know the exact date.</p> <p>19 Q. Do you know a month?</p> <p>20 A. No. I don't know when my</p> <p>21 records were moved from --</p> <p>22 Q. Would it have been after</p> <p>23 October 3rd, 2007?</p>

13 (Pages 49 to 52)

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# FREEDOM COURT REPORTING

<p style="text-align: right;">Page 53</p> <p>1 A. Yes. It would have been 2 after. 3 Q. Prior to October 3rd, where 4 were your records, what local church of 5 Latter Day Saints? 6 A. Because I moved around so 7 much, I know that they were sent to 8 California at one point. I know they 9 were sent back to Montgomery at one 10 point. But I don't know the exact 11 dates. 12 Q. It's safe to say that at one 13 time, you were a member of a church in 14 California and at one time you were a 15 member of a church in Alabama prior to 16 October the 3rd, 2007, but in that time 17 frame between the accident and when you 18 got served? 19 A. Let's put it this way: A 20 Mormon is a Mormon. Any church is the 21 same church. It is just a different 22 building. 23 Q. I understand.</p>	<p style="text-align: right;">Page 55</p> <p>1 of the accident and when you were 2 served? 3 A. Yes. And some of those times, 4 it was in California. 5 Q. All right. Have you ever been 6 arrested? 7 A. No. 8 Q. Have you ever been charged 9 with a crime? 10 A. No. 11 Q. And I'm asking you this -- 12 A. Outside of -- 13 Q. I'm even talking about a 14 speeding ticket. Just go ahead and 15 tell me. 16 A. No. I've never had a speeding 17 ticket. 18 Q. Have you ever been sued? 19 A. No. 20 Q. Have you ever sued anyone? 21 A. No. 22 Q. Have you ever had to give 23 testimony at a trial?</p>
<p style="text-align: right;">Page 54</p> <p>1 A. My records go where I go so 2 that I can hold callings. 3 Q. I understand. I guess what 4 I'm trying to get to is where you were 5 practicing your religion at certain 6 times and -- 7 A. Where I was living. 8 Q. Okay. I'm trying to get dates 9 of when you were perhaps going to the 10 local branch -- local building in 11 Alabama. 12 A. Sporadic, so I can't give you 13 a definitive date. That is not to my 14 credit. 15 Q. But you are definite that your 16 paperwork was in a local church in 17 Alabama -- 18 A. Yes. 19 Q. -- or a local building in 20 Alabama at one time? 21 A. Yes, positive. 22 Q. And when your paperwork was at 23 that church, that was between the dates</p>	<p style="text-align: right;">Page 56</p> <p>1 A. Yes -- no. Take that back. I 2 was a juror. 3 Q. Have you ever filed for 4 bankruptcy? 5 A. Yes. 6 Q. When was that? 7 A. I don't know. Well over ten 8 years ago. I know it's off my credit 9 report. 10 Q. Have you ever had any liens 11 filed against you or your personal 12 property or any real property? 13 A. No. 14 Q. Ms. Lamb, I don't want to get 15 into any kind of medical privacy 16 issues, but I would like to know when 17 you were last treated for any medical 18 condition anywhere. 19 A. Emergency room -- 20 Q. Okay. 21 A. -- in Owasso. 22 Q. What was the date? 23 A. I don't know. I saw Dr. Ryan</p>

14 (Pages 53 to 56)

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## FREEDOM COURT REPORTING

<p style="text-align: right;">Page 57</p> <p>1 in Laingsburg three times. I don't 2 know the dates. 3 Q. Have these been since October 4 3rd, 2007? 5 A. Yes. 6 Q. When was the last time you saw 7 a physician in the State of Alabama? 8 A. That would be within the last 9 year, and that would be my neurologist 10 Dr. Hamp Green. 11 Q. Dr. Green, did you see him in 12 the month of September 2007? 13 A. I don't know. I don't know. 14 I'd have to call his office to know the 15 exact date. 16 Q. Could you do that and find out 17 when the last time you saw Dr. Green? 18 A. I could do that right now. 19 Q. That would be great. 20 MR. TAYLOR: Can we take a 21 break? 22 MR. LOGAN: Sure. 23</p>	<p style="text-align: right;">Page 59</p> <p>1 Q. (BY MR. TAYLOR:) June of '06? 2 A. June of '06. 3 Q. And do you intend to see him 4 again? 5 A. No. When traveling, I saw 6 most of the doctors in California. 7 Q. Ms. Lamb, I want to talk to 8 you about telephone numbers a little 9 bit. 10 A. Okay. 11 Q. Your current telephone 12 numbers, what are they? 13 A. Cell phone, {760}554-2052. 14 Q. Okay. 15 A. I have two cell phones under 16 my name. 17 Q. Where is 760 area code? 18 A. California. I was working out 19 there when I lost my other cell phones 20 and I had to buy. The other cell phone 21 under my name is {760}554-2736. 22 Q. Are you familiar with the 23 number {706}554-5024?</p>
<p style="text-align: right;">Page 58</p> <p>1 (Short recess.) 2 3 A. (BY MR. TAYLOR:) January of 4 '07. 5 Q. And do you intend to see 6 Dr. Green again? 7 A. Yes. I will fly back to see 8 him. I will keep him as my 9 neurologist. I will have all of my 10 other doctors in Michigan, but I won't 11 give him up. 12 Q. Any other doctors in 13 Montgomery besides Dr. Green that you 14 have seen in the last year? 15 A. My family physician is 16 Dr. Keith Hughes. 17 Q. When was the last time you saw 18 him? 19 A. I can call him and ask. 20 Q. If you don't mind. 21 22 (Short recess.) 23</p>	<p style="text-align: right;">Page 60</p> <p>1 A. 706? 2 Q. It might be 760. How about if 3 it were {760}554-5024? 4 A. No. It would be 502 -- 2052. 5 Q. Okay. Are you familiar with 6 {334}244-0810? 7 A. My brother's number. 8 Q. And that's Michael Lamb? 9 A. Yes. 10 Q. I want to show you -- first, 11 let me ask you: Who is Dr. George 12 Bedmon and Robert Bedmon? 13 A. Dentists. 14 Q. And they're dentists in -- 15 A. Lansing, Michigan. 16 Q. I'm going to mark as Exhibit 5 17 a record that you brought here today 18 from that dentist. 19 20 (Whereupon, Plaintiff's Exhibit 21 Number 5 was marked for 22 identification and is attached to 23 the original transcript.)</p>

15 (Pages 57 to 60)

## FREEDOM COURT REPORTING

Page 61	Page 63
<p>1</p> <p>2 Q. On this document you brought</p> <p>3 here today, it appears to be an</p> <p>4 invoice; is that correct?</p> <p>5 A. Yes.</p> <p>6 Q. Okay. And at the bottom, is</p> <p>7 that your handwriting as a home phone</p> <p>8 number?</p> <p>9 A. No.</p> <p>10 Q. What home phone number appears</p> <p>11 there?</p> <p>12 A. That's my uncle's.</p> <p>13 Q. Okay. And where the address</p> <p>14 is located, that was listed as an</p> <p>15 Alabama address prior to being changed,</p> <p>16 it appears, by some --</p> <p>17 A. Oh, was it?</p> <p>18 Q. -- taping?</p> <p>19 A. Unless they did. They could</p> <p>20 have.</p> <p>21 Q. Okay.</p> <p>22 A. Because they mailed me one in</p> <p>23 Alabama and one in Michigan.</p>	<p>1 exactly when.</p> <p>2 Q. Would that have been after</p> <p>3 October of 2007?</p> <p>4 A. I don't know. I believe it</p> <p>5 was while I was in Charlottesville, but</p> <p>6 I'm not positive.</p> <p>7 Q. Okay. Going back to that</p> <p>8 medical record we were talking about a</p> <p>9 minute ago.</p> <p>10 A. Uh-huh.</p> <p>11 Q. What phone number -- you say</p> <p>12 that's your uncle's phone number?</p> <p>13 A. Uh-huh.</p> <p>14 Q. And he lives at 120 Lost</p> <p>15 Trail?</p> <p>16 A. Uh-huh.</p> <p>17 Q. And he maintains that number</p> <p>18 to this date?</p> <p>19 A. Yes, he does.</p> <p>20 Q. Have you received any mail at</p> <p>21 his house since September 24th, 2007?</p> <p>22 A. I'm sure because I haven't put</p> <p>23 in a change of address yet.</p>
Page 62	Page 64
<p>1 Q. When did you receive the one</p> <p>2 in Alabama?</p> <p>3 A. I don't know.</p> <p>4 Q. Okay. Do you have any mail</p> <p>5 that you've received in Alabama while</p> <p>6 you were in Alabama?</p> <p>7 A. That I received in Alabama?</p> <p>8 Q. Uh-huh.</p> <p>9 A. A credit card.</p> <p>10 Q. Do you have any of those</p> <p>11 statements?</p> <p>12 A. I don't keep them.</p> <p>13 Q. Do you still have those credit</p> <p>14 cards?</p> <p>15 A. Yes, I do.</p> <p>16 Q. Have you changed the address?</p> <p>17 A. Yes, I have.</p> <p>18 Q. When did you change the</p> <p>19 address?</p> <p>20 A. I don't know. I paid them by</p> <p>21 phone while I was traveling. And at</p> <p>22 one point, I had them start sending</p> <p>23 them to Michigan, and I don't know</p>	<p>1 Q. Okay. Are you in possession</p> <p>2 of any of that mail?</p> <p>3 A. No, I'm not.</p> <p>4 Q. When you were living with your</p> <p>5 uncle or your mom or your brother --</p> <p>6 A. Uh-huh.</p> <p>7 Q. -- in Alabama, did you pay</p> <p>8 bills to them? Did you pay for any of</p> <p>9 the utilities?</p> <p>10 A. Yes.</p> <p>11 Q. Who did you pay and how was it</p> <p>12 paid? How often and how much?</p> <p>13 A. I paid my uncle for groceries.</p> <p>14 I paid for telephone bills. He'd tell</p> <p>15 me how much and I'd write him a check.</p> <p>16 Q. And when was the last time you</p> <p>17 wrote him a check for groceries or</p> <p>18 bills?</p> <p>19 A. I have no idea.</p> <p>20 Q. Would it have been as late as</p> <p>21 September of 2007?</p> <p>22 A. I don't know.</p> <p>23 Q. Did you keep any record of the</p>

16 (Pages 61 to 64)

# FREEDOM COURT REPORTING

<p style="text-align: right;">Page 65</p> <p>1 bills you paid to him?</p> <p>2 A. No.</p> <p>3 Q. Could you have paid him as</p> <p>4 late as October of 2007?</p> <p>5 A. Let me look at my checkbook</p> <p>6 and see if it's in it.</p> <p>7 MR. LOGAN: Okay. Sure.</p> <p>8</p> <p>9 (Discussion off the record.)</p> <p>10</p> <p>11 A. 6/12.</p> <p>12 Q. (BY MR. TAYLOR:) Okay.</p> <p>13 A. No. That was a loan payment.</p> <p>14 I'm sorry. I was paying him back for a</p> <p>15 loan. I can't tell which were loan</p> <p>16 payments and which were food. I'm</p> <p>17 sorry.</p> <p>18 Q. You can't tell if they were</p> <p>19 payments to your uncle?</p> <p>20 A. I can tell if they were</p> <p>21 payments to my uncle, but I don't know.</p> <p>22 Let's see. 2/23, 4/18, 6/12, and those</p> <p>23 would be when I would write him checks</p>	<p style="text-align: right;">Page 67</p> <p>1 A. Uh-huh. I did not change it</p> <p>2 because I had no income to open another</p> <p>3 account.</p> <p>4 Q. Okay. And this is the only</p> <p>5 bank account that you have?</p> <p>6 A. Uh-huh. And it has \$10.95 in</p> <p>7 it, and that's my total net worth.</p> <p>8 Q. What about any loans other</p> <p>9 than the one from your uncle? Do you</p> <p>10 have any outstanding loans?</p> <p>11 A. I have outstanding medical</p> <p>12 bills.</p> <p>13 Q. And what providers have</p> <p>14 outstanding bills with you?</p> <p>15 A. Baptist South, Martha</p> <p>16 Jefferson in Charlottesville, Riverside</p> <p>17 Medical Center.</p> <p>18 Q. Where is that located?</p> <p>19 A. California. Conway Medical in</p> <p>20 Selma, Owasso in Michigan. I'm not</p> <p>21 sure where else.</p> <p>22 MR. TAYLOR: Okay. If y'all</p> <p>23 give me just a few minutes, I can look</p>
<p style="text-align: right;">Page 66</p> <p>1 for when I hadn't been able to pay him</p> <p>2 previously when I wasn't working.</p> <p>3 That's all I've got that I've written</p> <p>4 down.</p> <p>5 Q. Now, you mentioned a loan that</p> <p>6 you repaid your uncle for on June 12th?</p> <p>7 A. Yes. I'd used his credit card</p> <p>8 for previous dental work.</p> <p>9 Q. Do you still owe him for that</p> <p>10 loan?</p> <p>11 A. Am I still paying him? When</p> <p>12 I'm working, yes.</p> <p>13 Q. And he's in Alabama, right?</p> <p>14 A. Yes. My mother is paying for</p> <p>15 my COBRA.</p> <p>16 Q. Bank accounts, what current</p> <p>17 bank accounts do you have?</p> <p>18 A. One, Bancorp South.</p> <p>19 Q. Where is that Bancorp South</p> <p>20 located?</p> <p>21 A. Brookwood, Alabama.</p> <p>22 Q. Is that the one out on</p> <p>23 Highway 80?</p>	<p style="text-align: right;">Page 68</p> <p>1 through and probably have a few quick</p> <p>2 questions at the end.</p> <p>3 THE WITNESS: Okay.</p> <p>4</p> <p>5 (Short recess.)</p> <p>6</p> <p>7 Q. (BY MR. TAYLOR:) A couple of</p> <p>8 things I forgot and I have to go back,</p> <p>9 and I apologize. I want to finish</p> <p>10 going through the requests that we had,</p> <p>11 and I hope you still have that in front</p> <p>12 of you. It will be the same as the</p> <p>13 notice as well. I believe we're on</p> <p>14 Number 7.</p> <p>15 A. Okay.</p> <p>16 Q. And I'd asked you to produce</p> <p>17 all bills and correspondence received,</p> <p>18 including utility, water, garbage</p> <p>19 sewer, electricity, gas, telephone,</p> <p>20 credit card, bank account statements,</p> <p>21 insurance, magazines and personal</p> <p>22 correspondence between May of 2007 and</p> <p>23 October of 2007.</p>

17 (Pages 65 to 68)

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## FREEDOM COURT REPORTING

<p style="text-align: right;">Page 69</p> <p>1 Bank account statements from</p> <p>2 Bancorp South, do you have those on</p> <p>3 hand that you received?</p> <p>4 A. I didn't keep them since</p> <p>5 there's no money in them.</p> <p>6 Q. Are you still receiving bank</p> <p>7 account statements from them?</p> <p>8 A. I haven't seen any.</p> <p>9 Q. Could they be going to your</p> <p>10 Alabama address?</p> <p>11 A. I have a change of address</p> <p>12 there. It would be forwarded. Now, I</p> <p>13 can't say they're not coming into the</p> <p>14 house. There's 12 children in that</p> <p>15 house.</p> <p>16 Q. In which house?</p> <p>17 A. The one I'm living in.</p> <p>18 Q. Okay.</p> <p>19 A. Mail is lost.</p> <p>20 Q. Could you please follow up and</p> <p>21 see if we can get a bank account</p> <p>22 statement to your attorney as soon as</p> <p>23 possible?</p>	<p style="text-align: right;">Page 71</p> <p>1 A. Yes. I don't have them.</p> <p>2 Q. Okay. Do you have health</p> <p>3 insurance?</p> <p>4 A. COBRA.</p> <p>5 Q. Do you have a co-pay?</p> <p>6 A. Yes.</p> <p>7 Q. Okay. Have you kept records</p> <p>8 of your cancelled checks to pay the</p> <p>9 co-pay?</p> <p>10 A. No. My mother is paying my</p> <p>11 co-pays. My mother is paying my COBRA.</p> <p>12 Q. Okay. Number 10, I've asked</p> <p>13 you to produce prescriptions for</p> <p>14 medication. Have you filled any</p> <p>15 prescriptions between November 23rd,</p> <p>16 2005 and September 23rd, 2007?</p> <p>17 A. I'm sure I have.</p> <p>18 Q. Do you have copies of any of</p> <p>19 those?</p> <p>20 A. I don't have the copies, but</p> <p>21 my --</p> <p>22 Q. Or dates they were filled,</p> <p>23 perhaps?</p>
<p style="text-align: right;">Page 70</p> <p>1 A. Okay. The last one.</p> <p>2 Q. That would be fine. And</p> <p>3 really if possible, if they can replace</p> <p>4 them between May and October of 2007,</p> <p>5 those are the primary ones I'd like to</p> <p>6 get, which I'm sure they could produce</p> <p>7 for you, the bank.</p> <p>8 A. Okay.</p> <p>9 Q. If you would follow up with</p> <p>10 them.</p> <p>11 When you came back -- Number</p> <p>12 8, I've asked you to produce any rent</p> <p>13 or any hotel bill that you've paid or</p> <p>14 that's been paid on your behalf for</p> <p>15 September of 2006 or September of 2007.</p> <p>16 Do you have any of those in your</p> <p>17 possession?</p> <p>18 A. No, I don't.</p> <p>19 Q. Okay. The next one, I've</p> <p>20 asked you to produce documents showing</p> <p>21 health care that you received. Have</p> <p>22 you produced all of that that you have</p> <p>23 in your possession?</p>	<p style="text-align: right;">Page 72</p> <p>1 A. My medications are prescribed</p> <p>2 to me by Dr. Green.</p> <p>3 Q. Okay. And you are on</p> <p>4 prescription medication?</p> <p>5 A. Yes, I am.</p> <p>6 Q. Your latest prescription</p> <p>7 prescribed by Dr. Green, could you get</p> <p>8 a copy of that label on that bottle and</p> <p>9 give it to your lawyer at your earliest</p> <p>10 convenience?</p> <p>11 A. Yes.</p> <p>12 MR. LOGAN: If you have it.</p> <p>13 A. It's in Michigan.</p> <p>14 Q. (BY MR. TAYLOR:) Okay.</p> <p>15 MR. LOGAN: And, Tedford, what</p> <p>16 I may do is I may black out what the</p> <p>17 medication is.</p> <p>18 MR. TAYLOR: That's fine.</p> <p>19 MR. LOGAN: I assume the only</p> <p>20 information that you're interested</p> <p>21 would be the address on the bottle; is</p> <p>22 that correct?</p> <p>23 MR. TAYLOR: Right. The</p>

18 (Pages 69 to 72)

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## FREEDOM COURT REPORTING

<p style="text-align: right;">Page 73</p> <p>1 address and the doctor and that sort of 2 thing. 3 A. Well, I can tell you right now 4 the medications are all out of Baptist 5 Towers and mailed to me in Laingsburg. 6 So I can get Baptist Towers to -- 7 Q. (BY MR. TAYLOR:) That may be 8 an easier route. 9 A. -- give you a statement that 10 they're mailing all of my medications. 11 Because they mailed them to me in 12 California. Now they mail them to me. 13 Q. That's fine. I just want to 14 make sure that it shows when the 15 medications were prescribed. And I 16 don't need to know the medications; 17 just when they were prescribed. And 18 that should be on the label of the date 19 that it was filled. 20 A. You just want the last set 21 or -- 22 Q. Well, actually -- 23 A. They're monthly medications</p>	<p style="text-align: right;">Page 75</p> <p>1 and the hotels. As far as our moving 2 her furniture, that was -- I don't 3 know. 4 Q. (BY MR. TAYLOR:) Okay. And 5 you moving your furniture in November 6 of 2007? 7 A. Her furniture. I don't own -- 8 Q. Okay. It is true you have not 9 voted in Michigan; is that correct? 10 A. That is correct. 11 Q. And you have not registered to 12 vote in Michigan? 13 A. That is correct. 14 Q. It is true you have not paid 15 taxes in Michigan? 16 MR. LOGAN: Object to form. 17 What type of taxes are you referring 18 to? Sales tax? Income tax? 19 MR. TAYLOR: Income tax. 20 A. No, I haven't worked, except 21 for this last week. 22 Q. (BY MR. TAYLOR:) And it's 23 true you were working in Alabama at</p>
<p style="text-align: right;">Page 74</p> <p>1 from Dr. Green. 2 Q. If I could get them monthly 3 back to, let's say, from May 2007. 4 That way I can have that from May until 5 the present. That will give me an idea 6 of when addresses were changed and that 7 sort of thing, okay? 8 A. Okay. I guess the pharmacy 9 will have them where they mailed them 10 out to. If they have them, I'll -- 11 Q. Okay. Great. 12 And moving expenses, do you 13 have any written evidence of any moving 14 expenses you had? 15 A. Moving expenses were my mom's. 16 Q. Okay. So it would be safe to 17 say that moving expenses were -- the 18 money was spent when y'all moved 19 between October 1st and October 3rd, 20 2007? 21 MR. LOGAN: Object to the 22 form. 23 A. That was rental car under me</p>	<p style="text-align: right;">Page 76</p> <p>1 some point in the year 2007 for Adidas? 2 A. No. Adidas is 2005. 3 Q. Okay. I have my dates wrong. 4 I'm sorry, Ms. Lamb. I didn't mean 5 to -- 6 A. Prison is 2006. 7 Q. You're correct. It's On 8 Assignment I was thinking. 9 A. And I did not work in Alabama. 10 I have not worked in Alabama since the 11 prison. 12 Q. Okay. It's true that you have 13 a nursing license in Alabama? 14 A. Yes. It's my original state. 15 I always keep one. 16 Q. And it's true that you are 17 attending your church of Latter Day 18 Saints in Michigan and your paperwork 19 was sent up there from your Alabama 20 church some time after October the 3rd? 21 A. Yes. 22 Q. It's true that you have a bank 23 account in Alabama and do not have a</p>

19 (Pages 73 to 76)

# FREEDOM COURT REPORTING

<p>Page 77</p> <p>1 bank account anywhere else?</p> <p>2 A. Correct.</p> <p>3 Q. You have not been employed by</p> <p>4 an employer located in Michigan until</p> <p>5 you began your job last week; is that</p> <p>6 correct?</p> <p>7 A. Correct. I have not been</p> <p>8 employed by anyone.</p> <p>9 Q. And you are not a member of</p> <p>10 any professional, civil, or social</p> <p>11 organization?</p> <p>12 A. Correct.</p> <p>13 Q. And you do not have any real</p> <p>14 property in Michigan?</p> <p>15 A. Correct.</p> <p>16 Q. Okay. Ms. Lamb, if you would,</p> <p>17 follow up and --</p> <p>18 MR. TAYLOR: Jereme, I hope</p> <p>19 you kept records of everything that I</p> <p>20 wanted to try --</p> <p>21 A. Excuse me. I may have</p> <p>22 answered something wrong. I do have</p> <p>23 cable in Michigan.</p>	<p>Page 79</p> <p>1 with as soon as possible. Okay?</p> <p>2 A. I would like that, too. Thank</p> <p>3 you.</p> <p>4 MR. TAYLOR: Thank you. And</p> <p>5 thank you for coming down.</p> <p>6</p> <p>7 (Further Deponent Saith Not)</p> <p>8</p> <p>9 (Whereupon deposition concluded</p> <p>10 at 2:45 p.m.)</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p>
<p>Page 78</p> <p>1 Q. (BY MR. TAYLOR:) Okay.</p> <p>2 A. That's under my name.</p> <p>3 Q. Have you paid -- do you have a</p> <p>4 statement for that bill?</p> <p>5 A. No, I don't.</p> <p>6 Q. Okay.</p> <p>7 A. But I'm sure that one is at</p> <p>8 home since it's current.</p> <p>9 MR. LOGAN: As far as the</p> <p>10 records that you have requested, send</p> <p>11 me a letter.</p> <p>12 MR. TAYLOR: I'll do it.</p> <p>13 That's easier.</p> <p>14 MR. LOGAN: That way, I'll get</p> <p>15 you exactly what you're looking for.</p> <p>16 Q. (BY MR. TAYLOR:) That's all</p> <p>17 the questions I have, Ms. Lamb. I</p> <p>18 would like, if you would cooperate, to</p> <p>19 get these documents as soon as</p> <p>20 possible. We have a deadline coming up</p> <p>21 very soon and we're running behind a</p> <p>22 little bit. So I want to try to make</p> <p>23 that deadline and get this matter over</p>	<p>Page 80</p> <p>1 C E R T I F I C A T E</p> <p>2</p> <p>3 STATE OF ALABAMA )</p> <p>4 COUNTY OF JEFFERSON )</p> <p>5</p> <p>6 I hereby certify that the above</p> <p>7 and foregoing deposition was taken down</p> <p>8 by me in stenotype, and the questions</p> <p>9 and answers thereto were transcribed by</p> <p>10 means of computer-aided transcription,</p> <p>11 and that the foregoing represents a</p> <p>12 true and correct transcript of the</p> <p>13 testimony given by the witness upon</p> <p>14 said hearing.</p> <p>15 I further certify that I am</p> <p>16 neither of counsel, nor kin to the</p> <p>17 parties to the action, nor am I in any</p> <p>18 way interested in the result of said</p> <p>19 cause named in said caption.</p> <p>20 -----</p> <p>21 Jodi D. DuBose, CSR, Notary Public</p> <p>22 Certificate No: AL-CSR-504</p> <p>23 My Commission Expires: 7/01/2011</p>

20 (Pages 77 to 80)

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